

MELINDA HAAG (CABN 132612)  
 United States Attorney  
 J. DOUGLAS WILSON (DCBN 412811)  
 Chief, Criminal Division  
 ALEXANDRA P. SUMMER (CABN 266485)  
 Assistant United States Attorney  
 450 Golden Gate Avenue, Box 36055  
 San Francisco, California 94102-3495  
 Telephone: (415) 436-7200  
 Fax: (415) 436-7234  
 alexandra.summer@usdoj.gov

Attorneys for United States of America

**FILED**

JAN 7 2014

RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. CR 13-00791-03 JST
	)	
	)	[PROPOSED] ORDER OF DETENTION
v.	)	PENDING TRIAL <i>(as modified)</i>
	)	
LYNETTE RENE VAUGHN,	)	
	)	
Defendant.	)	

Defendant Lynette Rene Vaughn, is charged with possession with intent to distribute and distribution of cocaine base in the form of "crack" within 1,000 feet of a school, in violation of 21 U.S.C. §§ 841(a)(1) and 860(a).

The government moved for the defendant's detention pursuant to 18 U.S.C. § 3142, and requested a detention hearing, as permitted by 18 U.S.C. § 3142(f). Given the nature of the crime charged, there is a rebuttable presumption that no conditions or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. See 18 U.S.C. § 3142(e)(3)(A). On December 20, 2013, following a hearing pursuant to 18 U.S.C. § 3142(f), and considering the Pretrial Services bail study and oral proffers of counsel as reflected on the record, and the factors set forth in 18 U.S.C. § 3142(g), the Court ordered the defendant

1 detained, as no condition or combination of conditions in 18 U.S.C. § 3142(c) will reasonably assure the  
2 appearance of the defendant as required and the safety of any other person and the community.

3 . Specifically, ~~the presumption pursuant to 18 U.S.C. § 3142(c)(3)(A) had not been rebutted by the~~  
4 ~~defendant. The Court noted that the defendant's criminal history as reflected in the Pretrial Services bail~~  
5 ~~study and summarized by the government at the hearing demonstrates that the defendant would be a~~  
6 ~~danger to the community if released. The charged conduct and other recent activity by the defendant~~  
7 ~~proffered by the government are consistent with that history. Therefore, the defendant is ordered~~ *court finds met*  
8 ~~detained as no condition or combination of conditions will reasonably assure the appearance of~~  
9 ~~defendant as required and the safety of any other person and the community.~~

10 The defendant may request a further detention hearing should his circumstances change at any  
11 future time. See 18 U.S.C. § 3142(f).

12 The defendant is committed to the custody of the Attorney General or a designated representative  
13 for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or  
14 serving sentences or held in custody pending appeal. 18 U.S.C. § 3142(i)(2). The defendant must be  
15 afforded a reasonable opportunity to consult privately with counsel. 18 U.S.C. § 3142(i)(3). On order  
16 of a court of the United States or on request of an attorney for the government, the person in charge of  
17 the corrections facility must deliver the defendant to the United States Marshal for court appearances.  
18 18 U.S.C. § 3142(i)(4).

19  
20 IT IS SO ORDERED.

21  
22 *January 7*  
23 DATED: December 7, 2013

  
24 HON. DONNA M. RYU  
25 United States Magistrate Judge  
26  
27  
28